GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Labour Factories Boilers & Insurance Medical Services Department - The Andhra Pradesh Maternity Benefit Rules, 1966 – Amendment - Preliminary Notification – Orders - Issued.

(LABOUR FACTORIES BOILERS & INSURANCE MEDICAL SERVICES (LAB.I) DEPARTMENT)

G.O.Ms.No.25 **Dated:19.07.2022**

Read the following:

1. G.O.Ms.No:821, Home (Labour-II) Department, Dt:23.04.1966.
2. From the Special Commissioner of Labour, Andhra Pradesh, Vijayawada, Lr.No.N/1462982/2018, Dt:23.01.2019 & Letter Even No.Dt:25.02.2022.

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ORDER:

The Special Commissioner of Labour, Andhra Pradesh , Vijayawada in the letter 2nd read above has furnished the proposal for necessary amendments to the Andhra Pradesh Maternity Benefit Rules, 1966 in view of the provisions introduced in the Maternity Benefit (Amendment) Act, 2017 came into force w.e.f 01.07.2017 including the provision related to establishment of "Creche".

2. After careful examination of the request of the Special Commissioner of Labour, Andhra Pradesh, Vijayawada, the Government of Andhra Pradesh have decided to amend the Andhra Pradesh Maternity Benefit Rules, 1966.

3. Accordingly, the following Preliminary Notification will be published in an extra-ordinary issue of the Andhra Pradesh Gazette.

PRELIMINARY NOTIFICATION

The following amendments to the Andhra Pradesh Maternity Benefit Rules, 1966, issued in the G.O.Ms.No:821, Home (Labour-II) Department, Dt:23.04.1966, as subsequently amended, is proposed to be made, in exercise of the powers conferred by section 28 of the Andhra Pradesh Maternity Benefit Act, 1961, is hereby published for general information in the Andhra Pradesh Gazette, as required under sub-section (1) of section 28 of the said Act.

2. Notice is hereby given that the said draft will be taken into consideration by the Government on or after expiry of forty five (45) days from the date of publication of the notification in the Andhra Pradesh Gazette and that any objections or suggestions which may be received from any person with respect thereto within the aforesaid period will be considered by the Government of Andhra Pradesh.

3. Objections or suggestions should be addressed to the Special Commissioner of Labour, Andhra Pradesh, Vijayawada through the mail address: splcol.labour@gmail.com.

AMENDMENT

In the said rules;

1) In Rule 6,

(i) For the expression **'two breaks'** the expression **'four breaks'** shall be substituted.

(ii) After rule 6, the following new rule shall be added namely;-

6A(1) : *Every establishment covered by the Act and having fifty or more employees shall establish a crèche within two hundred and fifty meter from the place of work in accordance with the norms specified in sub-rule (3) to (9).*

(2) Every establishment shall specify the details of availability of crèche facility provided in the establishment in the appointment letter issued to the woman employee. The details of creche facility will also he displayed in the prominent place in the premises of the establishment and also posted in the portal of the establishment.

(3) The creche shall be conveniently accessible to the mothers of the children accommodated therein.

(4) The building in which the creche is situated shall be soundly constructed and all the walls and roof shall be of suitable heat-resisting materials and shall be water-proof. The floor and internal walls of the creche to a height of 1.20 meter around shall be so laid or finished as to provide a smooth impervious surface.

(5) The height of the rooms in the building shall be not less than 3.65 meters from the floor to the lowest part of the roof and there shall be not less than 1.86 metres of floor area for each child to be accommodated.

(6) Effective and suitable provision shall be made in every *part of the creche for securing and maintaining adequate ventilation by the circulation of fresh air.*

(7) The creche shall be adequately furnished and equipped and in particular there shall be one suitable cot or cradle with the necessary bedding for each child (provided that for children over two years of age it will be sufficient if suitable bedding is made available) at least one chair or equivalent seating accommodation for the use of each mother while she is feeding or attending to her child and a sufficient supply of suitable toys for the older children.

(8) The creche shall be ordinarily provided with one cradle for every thirty (30) women workers employed in the establishment subject to a minimum number of six cradles.
(9) A suitable fenced and shady open air play ground shall be provided for the older children.

2) A women employed in an establishment and entitled to maternity benefit shall give Application to her employer in Form "Q" intending to work from Home under section 5 (5) of the Maternity Benefit Act, 1961.

3) A women employed in an establishment and entitled to maternity benefit shall give notice to her employer in Form "P" under sub-section (4) of section 5 of the Maternity Benefit Act, 1961 to enable commissioning mother and adopting mother to claim maternity benefit.

FORM 'P'

Notice under sub-section (4) of section 5 of the Maternity Benefit Act, 1961

(Name of the establishment)

1. _____ (Name of the Commissioning/adopting mother), wife/daughter of _____ employed as _____ expecting to receive the baby on _____ as commissioning mother/adopting mother.
2. The baby being adopted is less than three months old (Date of birth of the baby being adopted Date: _____ Month:_____ Year:_____).

I shall not work in any establishment during the period for which I receive maternity benefit.

2. The maternity benefit or any other amount may be credited to my Bank Account No---------- Branch:---------- Bank----------

Signature or thumb impression of Commissioning/adopting Mother
Signature of an Attestor
Dated _____
Note:*Strike off the words not applicable.

FORM 'Q'

Application intending to work from Home, under section 5(5) of the Maternity Benefit Act, 1961

(Name of the establishment)

1. I _____ wife/daughter of _____ employed as _____ at ---------- (Name of the establishment) availed maternity benefit till _____ and request to allow to work from home for a period of _____ weeks from _____ to _____ which may be permitted.

I shall not work in any other establishment during the period I am allowed to work from home.

Signature of the employee

Signature of an Attestor
Dated _____

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G.ANANTHA RAMU
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Commissioner of Printing and Stationery, Vijayawada for publication in the Andhra Pradesh Gazette.
The Special Commissioner of Labour, Andhra Pradesh, Vijayawada.
Copy to:
The P.S. to Hon'ble Minister (LFB & IMS).
Law(B) Department
The P.S. to Special Chief Secretary to Government, LFB&IMS Department.
SF/SC.

//FORWARDED::BY ORDER//

G. Gurnaprasad
SECTION OFFICER